

### **REMARKS**

Claims 43-53 and 70-87 remain pending in the present application. Claims 1-42 and 54-69 have been cancelled. Claims 43, 45, 46 and 51 have been amended. Claims 70-87 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 45, 46 and 51 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 45, 46 and 51 have been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 43-53 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishio, et al. (U.S. Pat. No. 6,655,450) in view of Chrysler, et al. (U.S. Pat. No. 4,765,397). Applicants respectfully traverse this rejection. Claim 43 of the present invention has been amended to define that the heat source is mounted in an area that is smaller than an area where the flow paths are provided. Thus, Claim 43 defines that the heat source is not provided on the entire area of the flow paths.

In Chrysler, et al. ('397), as shown in Fig. 2, the TCM (heat source 14) is attached to an entire area of a base portion of the fins (30). That is, each heat source is attached to an entire area of each base portion of the fins. For example, the TCM is attached to the entire area of the base portion 53 of all the fins in Fig. 5, but is not

attached to an area only in the vicinity of the more dense set (62). Therefore, the mounting area of the heat source is not smaller than the area where the flow paths are provided.

Furthermore, Nishio, et al. ('450) alone or in combination with Chrysler, et al. ('397) does not teach the feature of amended Claim 43.

Thus, Applicants believe Claim 43, as amended, patentably distinguishes over the art of record. Likewise, Claims 44-53, which ultimately depend from Claim 43, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **NEW CLAIMS**

New Claims 70-87 are believed to read on the elected species. New Claims 70-74 are new dependent claims which Applicants believe properly further limit Claim 43.

New Claim 75 is an independent claim which defines a heat receiver portion and a heat-radiating portion. A heat source is attached to the heat receiver portion and a microchannel is formed in the flow paths in the heat receiver portion. Chrysler, et al. does not disclose this feature of flow paths extending between a heat receiver portion and a heat-radiating portion. New Claims 76-87 are dependent claims that Applicants believe properly further limit Claim 75.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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